

SIKKIM

GOVERNMENT  **GAZETTE**

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**GOVERNMENT OF SIKKIM
DEPARTMENT OF CO-OPERATION**

No. 37/Coop.

Dated the 27th January, 2014

NOTIFICATION

In exercise of the powers conferred by section 117 of the Sikkim Cooperative Societies Act, 1978, (12 of 1978), the State Government hereby makes the following rules further to amend the Sikkim Cooperative Societies Rules, 1981, namely:-

**Short title, extent
and
commencement**

1. (1) These rules may be called the Sikkim Cooperative Societies (Amendment) Rules, 2013.
- (2) They shall extend to the whole of Sikkim.
- (3) They shall come into force on the date of their publication in the Official Gazette.
2. In the Sikkim Cooperative Societies Rules, 1981, (hereinafter referred to as the said rules), in rule 19;-
 - (i) in sub-rule (1), after the words and figure, 'in sub-section (1)', the words and figure 'and sub-section (4)', shall be inserted;
 - (ii) in sub-rule (2), after the words and figure 'under sub-section (2)', the words and figure 'and sub-section (4)', shall be inserted.
3. In the said rules, after rule 29, the following rule shall be inserted, namely:-

'29A Right of a member to get information:
Every member of a society shall have free access to its account books and other connected record and information kept in respect of transactions with that member and the Chief Executive shall make arrangements for the inspection of such records and documents by the member on his request at the registered office of the society.'

4. In the said rules, after rule 31, the following rule shall be inserted, namely:-

'31A Constitution of Board:

- (1) Election of a Board shall be conducted before the expiry of the term of the board so as to ensure that the newly elected members of the Board assume office immediately on the expiry of the office of members of the outgoing Board.
 - (2) There shall be maximum of 21(twenty-one) number of directors of a cooperative society.
 - (3) 1(One) seat for the Scheduled Caste / Schedule Tribes and 2 (two) seats for women shall be reserved in the Board of every cooperative society to be filled by members from such class or category of persons.
 - (4) The term of the Board shall be for a period of 5(five) years.
 - (5) In case of casual vacancies in the Board, it may be filled by nomination out of the same class of members in respect of which the casual vacancy has arisen.
 - (6) The co-opted persons to be members of the Board as per sub-section (4) of section 38 of the Act, shall not exceed 2(two) in addition to 21(twenty-one) directors and these members shall not have voting right in any election of the cooperative society or be eligible to be elected as office bearers of the Board.'
5. In the said rules, after sub- rule (1) of rule 33,the following sub-rule shall be inserted , namely:-'
- (2) For the purpose of section 64A of the Act, the annual general meeting of all the cooperative societies shall be conveyed within 6(six) months from the close of each cooperative year, which shall be before the 30th September.'
6. In the said rules, in sub-rule(4) of rule 34,for the figures and words "3 years", the figures and words, "5 (five) years" shall be substituted.
7. In the said rules, after sub-rule(2) of rule 36, the following sub-rule shall be inserted, namely:-'
- (3) Every society shall furnish to the prescribed authority, within 6(six) months from the close of each cooperative year;-
- (a) a report on its activities during the year;
 - (b) an audited statement of Accounts for the year;

- (c) its plan for disposal of surplus generated during the year approved by the general body;
 - (d) a statement of amendments made to the Bye-laws;
 - (e) a declaration regarding holding general body meeting and conduct of elections, if due; and
 - (f) any other report prescribed under the rules and other information as required by the Registrar under the provisions of the Act.'
8. In the said rules, in sub-rule (1) of rule 37, after the words and figure, "under sub-section (1)", the words and figure, "and sub section (6)", shall be inserted.
 9. In the said rules, in sub-rule (2) of rule 55, for the words and figure, "Rs.5000", the words and figure, "Rs. 1.00 lakh (Rupees one lakh)" shall be substituted.
 10. In the said rules, in sub-rule (1) of rule 59, for the words and figure, "and in case of Cooperative Credit Structure Societies, the provisions as laid down under section 64(1)(a),(b) and (c) of the Act shall apply", the words and figure, "and section 64 shall apply to all types of societies", shall be substituted.

Secretary
Cooperation Department.

